

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RUSSELL F. MIZELL, III

MAILED

JUL 25 2003

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Application No. 08/654,600

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on July 1, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On September 2, 1998, appellant filed an amendment (Paper No. 18) to claims 2-3 and 7-11 (claim 2 was canceled). A review of the file reveals that the appendix to the appeal brief (Paper No. 42) does not contain an accurate appendix of claims 3 and 7-11. Before further review of this file, an accurate appendix of these claims must be provided.

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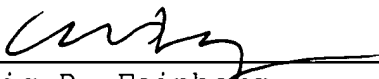
Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) a corrected appendix of the appeal brief containing the proper claims 3 and 7-11; and 2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____


Craig R. Feinberg
Program and Resource Administrator
(703) 308-9797

cc: Miles & Stockbridge P.C.
1751 Pinnacle Drive, Suite 500
McLean, VA 22102-3833

CRF/tdl/mh
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